

shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(f) SURVEYS.—All costs of necessary surveys for the transfer of real property under this section shall be borne by the State of Illinois.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. DEGREE OF ENVIRONMENTAL CLEANUP.

(a) IN GENERAL.—Nothing in this Act shall be construed to restrict or lessen the degree of cleanup at the Arsenal required to be carried out under provisions of any environmental law.

(b) RESPONSE ACTION.—The establishment of the Midewin National Tallgrass Prairie under title I and the additional real property disposals required under title II shall not restrict or lessen in any way any response action or degree of cleanup under CERCLA or other environmental law, or any response action required under any environmental law to remediate petroleum products or their derivatives (including motor oil and aviation fuel), required to be carried out under the authority of the Secretary of the Army at the Arsenal and surrounding areas.

(c) ENVIRONMENTAL QUALITY OF PROPERTY.—Any contract for sale, deed, or other transfer of real property under title II shall be carried out in compliance with all applicable provisions of section 120(h) of CERCLA and other environmental laws.

Mr. EMERSON (during the reading). Mr. Speaker, I ask unanimous consent that the Committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDMENTS OFFERED BY MR. EMERSON TO THE COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Mr. EMERSON. Mr. Speaker, I offer amendments to the Committee amendment in the nature of a substitute.

The Clerk read as follows:

Amendments offered by Mr. EMERSON to the Committee amendment in the nature of a substitute. In section 105(b)(2) of the bill, strike the sentence beginning with "Such special use" and the sentence beginning with "Fair market value".

In section 201 of the bill, strike subsection (e).

Mr. EMERSON (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. STENHOLM. Mr. Speaker, reserving the right to object, I will not object, but I yield to the gentleman from Missouri [Mr. EMERSON] to explain the amendments.

Mr. EMERSON. Mr. Speaker, these are technical changes in the bill. The one offered by the Committee on Veterans' Affairs merely allows the Sec-

retary of Veterans Affairs the authority to name the cemetery. The second amendment gives the Forest Service authority to manage land used for grazing in the same manner that other Forest Service lands are managed. These amendments have been cleared with the minority, and it is my understanding that there is no objection.

Mr. Speaker, I include for the RECORD a letter from Jack Ward Thomas, Chief of the Forest Service, to the gentleman from Kansas, PAT ROBERTS, chairman of the Committee on Agriculture.

The material referred to follows:

DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, DC, July 28, 1995.

Hon. PAT ROBERTS,
Chairman, Committee on Agriculture, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: This is to confirm discussions my staff have had with members of your staff regarding language contained in a draft Agriculture Committee version of H.R. 714, the "Illinois Land Conservation Act of 1995."

John Hogan, counsel to the Committee, has told my staff that a proposed amendment may be offered on the House floor to strike two sentences in subsection 105(b)(2). The referenced subsection refers to the issuance by the Secretary of Agriculture of special use authorizations for agricultural purposes, including livestock grazing. The proposed amendment would strike the second and third complete sentences in that subsection, specifically: "Such special use authorization shall require payment of a rental fee, in advance, that is based on the fair market value of the use allowed. Fair market value shall be determined by appraisal or a competitive bidding process."

It is our understanding that the proposed deletion of those two sentences is intended to avoid any confusion between the use provisions of this bill and the ongoing legislative debate over grazing fees in the Western States. Mr. Hogan asked our opinion as to what effect the deletion of these two sentences would have on management of the Midewin National Tallgrass Prairie.

The proposed deletion of the referenced sentence would have no practical effect on management of the Prairie. The Forest Service will utilize the same general terms and conditions for agricultural leasing as was utilized by the Army, including competitive bidding for farming and leasing rights. This system has worked well for the Army and we plan to continue it. And, we note, the system is consistent with general Forest Service management practices throughout the Eastern United States.

If we can provide additional information, please do not hesitate to ask.

JACK WARD THOMAS,
Chief.

The SPEAKER pro tempore. The question is on the amendments offered by the gentleman from Missouri [Mr. EMERSON] to the committee amendment in the nature of a substitute.

The amendments to the committee amendment in the nature of a substitute were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EMERSON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 714, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AUTHORIZING THE SECRETARY OF AGRICULTURE TO CONVEY LANDS TO THE CITY OF ROLLA, MO

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to call up the bill (H.R. 701) to authorize the Secretary of Agriculture to convey lands to the city of Rolla, MO, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. STENHOLM. Reserving the right to object, Mr. Speaker, I shall not object, but I yield to the gentleman from Missouri [Mr. EMERSON] for an explanation of the bill.

(Mr. EMERSON asked and was given permission to revise and extend his remarks.)

Mr. EMERSON. Mr. Speaker, I thank the gentleman for yielding under his reservation.

Mr. Speaker, I rise today in strong support of this measure, H.R. 701, which is vital to the rural economic development efforts of southern Missouri. This legislation will authorize the U.S. Department of Agriculture to convey land within the Mark Twain National Forest to the city and citizens of Rolla, MO. This same bill was approved by the full House in the 103d Congress; however, procedural obstacles in the U.S. Senate on the last day of the 2d session, unrelated to the merits of this legislation, blocked further consideration and eventual passage.

The city of Rolla has been diligent in its plan to utilize the U.S. Forest Service's district ranger office site in the development and construction of a regional tourist center. I feel its important to note that tourism is the second largest industry in Missouri and this tourist center has already attracted great interest along with injecting needed dollars into the regional Rolla economy.

Clearly, this project is a prime example of a local community exercising its own rural development plan for local expansion and job creation. In these times of reduced Federal support for rural community-based economic enterprises, the city of Rolla is a shining example and model of both involvement and initiative that other communities around the country can clearly emulate.

For over a year now, the city of Rolla has been collecting a 3-percent tax on local hotels in the attempt to finance

this project independent of any assistance from the Federal Government. Indeed, this land transfer arrangement is a very unique partnership for both Rolla and the Mark Twain National Forest. Several of Missouri's proud historical landmarks, which are important elements of this site, will be maintained and preserved for current and future generations through the efforts of the city of Rolla—at a substantially reduced cost to State and Federal taxpayers.

This is particularly important to bear in mind, since this facility would have no further commercial viability without the direct involvement of the city of Rolla. So now, two worthy goals can be achieved—economic development and historical preservation. Indeed, there are other facilities that would serve the city's need for a tourist center, but the local community and its leaders have had the vision to realize this is a prime opportunity to help themselves and relieve Federal taxpayers from the burden of maintaining these Forest Service buildings and related facilities within the city of Rolla.

Mr. Speaker, I commend the leadership efforts of the Mark Twain National Forest and the city of Rolla. I urge the expeditious approval of this measure in order that the citizens of Rolla can get on with the business of economic development and job creation.

Mr. DE LA GARZA. Mr. Speaker, I rise in support of H.R. 701, a bill to authorize the Secretary of Agriculture to convey lands to the city of Rolla, MO. H.R. 701 is nearly identical to H.R. 3426 that was introduced in the 103d Congress by Congressman EMERSON. H.R. 3426 was passed by unanimous consent in the House after being discharged by the Agriculture Committee at the very end of the session. The Senate took no action on the bill before adjournment.

H.R. 701 authorizes the city of Rolla to pay fair market value for the lands described by the bill. The city may pay for the land in full within 6 months of conveyance or, at the option of the city, pay for land in annual payments over 20 years with no interest. If the 20-year option is taken, the payments must be put in a Sisk Act Fund where they will be available, subject to appropriation, until expended by the Secretary. The bill also releases the U.S. Forest Service from liability due to hazardous wastes found on the property that were not identified prior to conveyance and requires the preservation of historic resource on the property.

Mr. STENHOLM. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

H.R. 701

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAND CONVEYANCE, ROLLA RANGER DISTRICT ADMINISTRATIVE SITE, ROLLA, MISSOURI.

(a) CONVEYANCE AUTHORIZED.—Subject to the terms and conditions specified in this

section, the Secretary of Agriculture may sell to the city of Rolla, Missouri (in this section referred to as the "City"), all right, title, and interest of the United States in and to the following: The property identified as the Rolla Ranger District Administrative Site of the Forest Service located in Rolla, Phelps County, Missouri, encompassing ten acres more or less, the conveyance of which by C.D. and Oma A. Hazlewood to the United States was recorded on May 6, 1936, in book 104, page 286 of the Record of Deeds of Phelps County, Missouri.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the property as determined by an appraisal acceptable to the Secretary and prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisition as published by the Department of Justice. Payment shall be due in full within six months after the date the conveyance is made or, at the option of the City, in twenty equal annual installments commencing on January 1 of the first year following the conveyance and annually thereafter until the total amount due has been paid.

(c) DEPOSIT OF FUNDS RECEIVED.—Funds received by the Secretary under subsection (b) as consideration for the conveyance shall be deposited into the special fund in the Treasury authorized by the Act of December 4, 1967 (16 U.S.C. 484a, commonly known as the Sisk Act). Such funds shall be available, subject to appropriation, until expended by the Secretary.

(d) RELEASE.—Subject to compliance with all Federal environmental laws prior to transfer, the City, upon conveyance of the property under subsection (a), shall agree in writing to hold the United States harmless from any and all claims relating to the property, including all claims resulting from hazardous materials on the conveyed lands.

(e) REVERSION.—The conveyance under subsection (a) shall be made by quitclaim deed in fee simple subject to reversion to the United States and right of reentry upon such conditions as may be prescribed by the Secretary in the deed of conveyance or in the event the City fails to comply with the compensation requirements specified in subsection (b).

(f) CONVERSION OF HISTORIC RESOURCES.—In consultation with the State Historic Preservation Office of the State of Missouri, the Secretary shall ensure that the historic resources on the property to be conveyed are conserved by requiring, at the closing on the conveyance of the property, that the City convey an historic preservation easement to the State of Missouri assuring the right of the State to enter the property for historic preservation purposes. The historic preservation easement shall be negotiated between the State of Missouri and the City, and the conveyance of the easement shall be a condition to the conveyance authorized under subsection (a). The protection of the historic resources on the conveyed property shall be the responsibility of the State of Missouri and the City, and not that of the Secretary.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER pro tempore. The Clerk will report the Committee amendment in the nature of a substitute,

The Clerk read as follows:

Committee amendment in the nature of a substitute:

Strike out all after the enacting clause and insert:

SECTION 1. LAND CONVEYANCE, ROLLA RANGER DISTRICT ADMINISTRATIVE SITE, ROLLA, MISSOURI.

(a) CONVEYANCE AUTHORIZED.—Subject to the terms and conditions specified in this section, the Secretary of Agriculture may sell to the city of Rolla, Missouri (in this section referred to as the "City"), all right, title, and interest of the United States in and to the following:

The property identified as the Rolla Ranger District Administrative Site of the Forest Service located in Rolla, Phelps County, Missouri, encompassing ten acres more or less, the conveyance of which by C.D. and Oma A. Hazlewood to the United States was recorded on May 6, 1936, in book 104, page 286 of the Record of Deeds of Phelps County, Missouri.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the City shall pay to the Secretary an amount equal to the fair market value of the property as determined by an appraisal acceptable to the Secretary and prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisition as published by the Department of Justice. Payment shall be due in full within six months after the date the conveyance is made or, at the option of the City, in twenty equal annual installments commencing on January 1 of the first year following the conveyance and annually thereafter until the total amount due has been paid.

(c) DEPOSIT OF FUNDS RECEIVED.—Funds received by the Secretary under subsection (b) as consideration for the conveyance shall be deposited into the special fund in the Treasury authorized by the Act of December 4, 1967 (16 U.S.C. 484a, commonly known as the Sisk Act). Such funds shall be available, subject to appropriation, until expended by the Secretary.

(d) RELEASE.—Subject to compliance with all Federal environmental laws prior to transfer, the City, upon conveyance of the property under subsection (a), shall agree in writing to hold the United States harmless from any and all claims relating to the property, including all claims resulting from hazardous materials on the conveyed lands.

(e) RIGHT OF REENTRY.—The conveyance to the City under subsection (a) shall be made by quitclaim deed in fee simple, subject to the right of reentry to the United States if the Secretary determines that the City is not in compliance with the compensation requirements specified in subsection (b) or other condition prescribed by the Secretary in the deed of conveyance.

(f) CONSERVATION OF HISTORIC RESOURCES.—In consultation with the State Historic Preservation Office of the State of Missouri, the Secretary shall ensure that the historic resources on the property to be conveyed are conserved by requiring, at the closing on the conveyance of the property, that the City convey an historic preservation easement to the State of Missouri assuring the right of the State to enter the property for historic preservation purposes. The historic preservation easement shall be negotiated between the State of Missouri and the City, and the conveyance of the easement shall be a condition to the conveyance authorized under subsection (a). The protection of the historic resources on the conveyed property shall be the responsibility of the State of Missouri and the City, and not that of the Secretary.

Mr. EMERSON (during the reading). Mr. Speaker, I ask unanimous consent that the Committee amendment in the nature of a substitute be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SPEAKER pro tempore. The question is on the Committee amendment in the nature of a substitute.

The Committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. EMERSON. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days to revise and extend their remarks on H.R. 701, the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MODIFYING BOUNDARIES OF TALLADEGA NATIONAL FOREST

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to call up the bill, H.R. 1874, to modify the boundaries of the Talladega National Forest, Alabama, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. STENHOLM. Reserving the right to object, Mr. Speaker, I shall not object, but I yield to the gentleman from Missouri [Mr. EMERSON] for an explanation of the bill.

Mr. EMERSON. Mr. Speaker, I thank the gentleman for yielding under his reservation of objection.

Mr. Speaker, this bill would transfer land currently under the jurisdiction of the Bureau of Land Management to the Forest Service. The land is currently being managed by the Forest Service. Another reason for the transfer is that the Penhody National Recreational Trail runs through a portion of the land that we are transferring. This transfer will enhance the management of the Penhody. The total amount being transferred is 559 acres. It is my understanding that the minority has no objection to this legislation, and that the administration is in support.

Mr. Speaker, I will include a document titled "Questions and Answers, H.R. 1874, Talladega National Forest," for the RECORD.

Mr. DE LA GARZA. Mr. Speaker, I rise in support of H.R. 1874, a bill to modify the boundaries of the Talladega National Forest. This bill is a commonsense attempt to streamline and make more cost-efficient the management of our national forests by transferring two small tracts of adjacent Bureau of Land Management [BLM] land to the Talladega National Forest in Alabama. I commend our colleague, Mr. BROWDER of Alabama, in his efforts.

H.R. 1874 modifies the boundaries of the Talladega National Forest in Alabama by transferring approximately 350 acres of Bureau of Land Management [BLM] land to the Talladega National Forest. Both the U.S. For-

est Service and the BLM support the concept of the transfer. The bill ensures that no existing rights of way, easement, lease license or permit shall be affected by the transfer.

According to the U.S. Forest Service this transfer will actually reduce the amount of boundary line the U.S. Forest Service will be required to maintain. Further, because the BLM lands are adjacent to or surrounded by the Talladega National Forest, the Congressional Budget Office reports that there are no significant costs to the government associated with the change in jurisdiction.

Mr. Speaker, I would also like included in the RECORD a document from the U.S. Forest Service entitled "Questions and Answers, H.R. 1874, Talladega National Forest, Alabama," regarding the transfer.

QUESTION AND ANSWERS, H.R. 1874, TALLADEGA NATIONAL FOREST, ALABAMA

Q. Where is the Talladega National Forest located in Alabama?

A. The Talladega National Forest is broken up into two divisions—the Oakmulgee Division, located in central Alabama South and West of Birmingham, Alabama; and the Talladega Division, located east central Alabama and being East of Birmingham, Alabama.

Q. Which Division is effected by H.R. 1874?

A. The land is located on the Talladega Division.

Q. Where on the Talladega Division are the tracts mentioned in H.R. 1874 located?

A. The first tract is located in Cleburne County and contains 399.4 acres and is more particularly described as Township 17 South, Range 8 East, Section 34, NE¼, SW¼, and S½ NW¼. This tract is located within the existing Proclamation Boundary of the Talladega N.F. and close to being surrounded by National Forest ownership.

The second tract is located in Calhoun County and contains 160 acres and is more particularly described as Township 13 South, Range 9 East, Section 28, SE¼. This tract is located just outside of the existing Proclamation Boundary of Talladega N.F. but is adjacent to and contiguous with National Forest ownership.

Q. What's presently located on these lands?

A. Both properties are forested tracts with pine and hardwood. There are no known or surveyed cultural resource sites or threatened or endangered species known to be located on these tracts. However, the first and largest tract is located inside a tentative Habitat Management Area for the Red Cockaded Woodpecker, a listed endangered species. In addition, the Pinhoti Trail, administered by the Forest Service, runs through the largest tract.

Q. What is a Habitat Management Area (HMA)? and why is it "tentative"?

A. This is an area that contains pine and pine-hardwood forest types that will be managed for the recovery of the Red Cockaded Woodpecker.

It is "tentative" until the Forest has completed its Forest Plan Revision.

Q. Just what is the Pinhoti Trail?

A. The Pinhoti Trail is a National Recreation Trail that was so designated back in 1977. It is a foot trail that extends for 98.6 miles along the mountains, valleys, and ridges of the Talladega Division, Talladega National Forest.

Q. Where does the Pinhoti Trail begin and end?

A. The trail starts on the Talladega Ranger District at Clairmont Gap off of the Talladega Scenic Drive and ends on the Northeastern boundary of the Shoal Creek Ranger District at Highway 278.

Q. H.R. 1874 indicates that the first tract contains 339.4 acres while the description calls for 399.4 acres. Which is correct?

A. The 399.4 acres is correct. There was probably a typo error made while drafting the bill. However, the description is accurate.

Q. Just what does the Bill do?

A. The Bill will transfer jurisdiction of these two tracts totaling 559.4 acres from the Bureau of Land Management, U.S. Department of Interior to the Forest Service, U.S. Department of Agriculture.

Q. Why is this necessary?

A. As pointed out, the effected lands are adjacent to and mixed in with existing National Forest lands. This would ease the administration of these federal lands for both agencies.

Q. Does BLM Agree with this change of jurisdiction?

A. Yes. They have worked closely with the Forest Service on this transfer for a number of years.

Q. Does the public have any concern about the change?

A. No. They already think the land is part of the National Forest System because of their location. This is especially true where the Pinhoti Trail runs through the larger tract in Cleburne County. In fact, the Forests current Administrative Map shows the 399 acre parcel as being national forest.

The county records in Cleburne County shows the property to be owned by the "USA Talladega NF"; while the Calhoun County records shows it to be owned by the "US Forestry Division".

Q. Why does the Administrative Map show this property to be National Forest?

A. Probably an error was made when the map was last revised since the property is government land, almost surrounded by national forest land and has the Pinhoti Trail running through it.

Q. Are there any right-of-ways, easements, leases, licenses or permits on the lands being transferred?

A. There are no known right-of-ways, easements, etc. or known claims (neither properties are adjacent to residential development) on either of the properties. If there were, the Forest Service has the necessary authority and regulations to handle.

Q. What is the history of these Tracts?

A. The 160 acre parcel, located in Calhoun County, has never been patented and was not withdrawn from the Public Domain when the Talladega National Forest was established by Proclamation 2190 dated 7/17/1936. This property has always been owned by the United States.

The 399 acre parcel, located in Cleburne County, was patented to the State of Alabama back in August 1941. A clause in the Patent stated "this patent is issued upon the express condition that the land hereby granted shall revert to the USA upon a finding by the Secretary of Interior that for a period of five (5) consecutive years such land has not been used by the said State of Alabama for park or recreational purposes, or that such land or any part thereof is being devoted to other uses." On November 14, 1978, the State of Alabama Quitclaimed this land to the United States and on February 9, 1979 title was accepted by the Bureau of Land Management.

(NOTE: The 1891 Organic Act originally gave the President the authority to place forest land into public reservations by Proclamation. President Franklin Roosevelt issued a Proclamation withdrawing the land now within our forest boundary for public recreational use pursuant to the Recreation and Public Purposes Act before the Talladega National Forest was established by Presidential Proclamation in 1936. A patent on the withdrawn lands was then issued to the State in 1941 with a reversionary clause to the United States. Alabama